AUG 3 1 2005 EX

9-02-05

FFW/g

Express Mail No. EV729040637US

Attorney Docket No. 337348046US

PTO/SB/21 (09-04)

Under the Paperwork Reduction Act of 1995, no person			and Trademark	d for use through 07/31/2006. OMB 0651-0031 k Office; U.S. DEPARTMENT OF COMMERCE		
Under the Paperwork Reduction Act of 1995, no person	is are required to res	Application		10/606,202-Conf. #4373		
TRANSMITTA	\L	Filing Date		June 24, 2003		
FORM		First Named	Inventor	Andrew D. Firlik		
(to be used for all correspondence after in	uitial filing)	Art Unit		3762		
(10 20 2021 to 20 20 20 20 20 20 20 20 20 20 20 20 20	g)	Examiner N	ame	R. D. Bradford		
Total Number of Pages in This Submission	on 6*	Attorney Do	cket Number	337348046US		
ENCLOSURES (Check all that apply)						
Fee Transmittal Form  X Fee Attached  Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  X Information Disclosure Statement  Certified Copy of Priority Document(s)  Reply to Missing Parts/ Incomplete Application	Change of Co Terminal Disc Request for CD, Number	onvert to a application rney, Revocation rrespondence claimer	Address [	After Allowance Communication to TC  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  X Other Enclosure(s) (please Identify below):  Return Receipt Postcard Form PTO/SB/08 Cited References (15)		
Reply to Missing Parts under 37 CFR 1.52 or 1.53  SIGNATULE Firm Name PERKINS COIE LLP Signature	RE OF APPLICA	ANT, ATTOF	RNEY, OR A	AGENT		
l hal	<u>/                                    </u>					
Printed name John M. Wechkin			Den Ne			
Date , 2005			Reg. No.	42,216		

<sup>\*</sup>Number of pages does not include cited references

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n re Patent Application of:

Firlik et al.

Application No.: 10/606,202

Confirmation No.: 4373

Filed: June 24, 2003

Art Unit: 3762

For:

AUG 3 1 2005

METHODS AND APPARATUS FOR

= INI

Examiner: R. D. Bradford

EFFECTUATING A LASTING CHANGE IN A NEURAL-FUNCTION OF A PATIENT

## **INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of the cited U.S. Patents and U.S. Applications on the PTO/SB/08 has not been provided.

09/06/2005 EAYALEW1 00000063 10606202

01 FC:1806

180.00 OP

Attorney Docket No.: 337348046US

Application No.: 10/606,202

A copy of the cited Non-Patent Literature on the PTO/SB/08 has been provided.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0665, under Order No. 337348046US.

Dated: <u>Ava 31</u>, 2005

Respectfully submitted,

John M. Wechkin

Registration No.: 42,216

PERKINS COIE LLP

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-8000

(206) 359-7198 (Fax)

Attorney for Applicant

PTO/SB/08a/b (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Sub	stitute for form 1449A/B/I	PTO		Complete if Known		
				Application Number	10/606,202-Conf. #4373	
IN	<b>IFORMATIO</b>	N DIS	SCLOSURE	Filing Date	June 24, 2003	
S	<b>TATEMENT</b>	BY A	PPLICANT	First Named Inventor	Andrew D. Firlik	
				Art Unit	3762	
	(Use as many s	sheets as	necessary)	Examiner Name	R. D. Bradford	
Sheet	1	of	3	Attorney Docket Number	337348046US	

Examiner	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> ( if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, When Relevant Passages or Relevar Figures Appear
THOUSE THE PARTY OF THE PARTY O	140.	US-4,474,186	10-02-1984	Ledley et al.	rigures Appear
		US-5,121,754	06-16-1992	Mullett	
			04-05-1994	Wernicke et al.	
		US-5,299,569	<del></del>		
		US-5,314,458	05-24-1994	Najafi et al.	
		US-5,406,957	04-18-1995	Tansey	
		US-5,522,864	06-04-1996	Wallace et al.	
		US-5,674,251	10-07-1997	Combs et al.	
		US-5,772,591	06-30-1998	Cram	
		US-6,035,236	03-07-2000	Jarding et al.	
		US-6,205,360	03-20-2001	Carter et al.	
		US-6,221,908	04-24-2001	Kilgard et al.	
		US-6,339,725	01-15-2002	Naritoku et al.	
		US-6,473,568	03-07-2002	Kashiyama	
		US-6,375,666	04-23-2002	Mische	
		US-6,405,079	06-11-2002	Ansarinia	
		US-6,418,344	07-09-2002	Rezai et al.	
		US-6,487,450	11-26-2002	Chen	
		US-6,499,488	12-31-2002	Hunter et al.	
		US-6,505,075	01-07-2003	Weiner	
		US-6,507,755	01-14-2003	Gozani et al.	
		US-2003/0125772	07-03-2003	Olson et al.	
		US-2003/0149457-A1	08-07-2003	Tcheng et al.	
		US-2003/0176901	09-18-2003	May	
		US-2003/0187491	10-02-2003	Greenberg et al.	
		US-6,665,562-A1	12-16-2003	Gluckman et al.	
	-	US-6,725,094-B2	04-20-2004	Saberski	
		US-2004/0138550-A1	07-15-2004	Hartlep et al.	
		US-6,764,498-B2	07-20-2004	Mische	
		US-2004/0158298	08-12-2004	Gliner et al.	
		US-6,782,292-A1	08-24-2004	Whitehurst	
		US-6,795,737-A1	09-21-2004	Gielen et al.	
		US-6,810,286-B2	10-26-2004	Donovan et al.	
Examine			·	Date Considered	

PTO/SB/08a/b (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Sul	ostitute for form 1449A/E	3/PTO		Complete if Known		
		•		Application Number	10/606,202-Conf. #4373	
11	NFORMATIC	ON DISC	CLOSURE	Filing Date	June 24, 2003	
S	TATEMENT	BY AP	PLICANT	First Named Inventor	Andrew D. Firlik	
_				Art Unit	3762	
	(Use as many	sheets as ne	cessary)	Examiner Name	R. D. Bradford	
Sheet	2	of	3	Attorney Docket Number	337348046US	

US-2004/0236388	11-25-2004	Gielen et al.	
US-2005/0004620-A1	01-06-2005	Singhal et al.	
US-2005/0015129	01-20-2005	Mische	
US-2005/0021107-A1	01-27-2005	Firlik et al.	
US-6,873,872	03-29-2005	Gluckman et al.	
US-2005/0096701	05-05-2005	Donovan et al.	
US-2005/0113882	05-26-2005	Cameron et al.	
 US-2005/0119712	06-02-2005	Shafer	

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T°		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. 'Applicant's unique citation designation number (optional). \*See Kinds Codes of USPTO Patent Documents at <a href="https://www.usplo.gov">www.usplo.gov</a> or MPEP 901.04. \*Better Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Fixed of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \*Applicant is to place a check mark here if English language Translation is attached.

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		HUMMEL, Friedhelm et al., "Effects of non-invasive cortical stimulation on skilld motor function in chronic stroke," Brain Advance Access, January 5, 2005, pp 1-10, Brain	
		NITSCHE, Michael A. et al., "Level of action of cathodal DC polarisation induced inhibition of the human motor cortex," December 2, 2002, Clinical Neurophysiology 114 (2003) 600-604	
		NITSCHE, Michael A., et al. "Facilitation of Implicit Motor Learning by Weak Transcranial Direct Current Stimulation of the Primary Motor Cortex in the Human," Journal of Cognitive Neuroscience 15:4, pp 619-626, 2003 Massachusetts Institute of Technology	
		LANG, Nicolas et al., "Preconditioning with Transcranial Direct Current Stimulation Sensitizes the Motor Cortex to Rapid-Rate Transcranial Magnetic Stimulation and Controls and Direction of After-Effects," Biol Psychiatry 2004:56:634-639, 2004 Society of Biological Psychiatry	

Examiner	Date
Signature	Considered

PTO/SB/08a/b (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Suh	estitute for form 1449A/B/P	TO.		Complete if Known		
000		. •		Application Number	10/606,202-Conf. #4373	
IN	<b>IFORMATIO</b>	N DI	SCLOSURE	Filing Date	June 24, 2003	
S	STATEMENT BY APPLICANT			First Named Inventor	Andrew D. Firlik	
				Art Unit	3762	
	(Use as many si	heets as	necessary)	Examiner Name	R. D. Bradford	
Sheet	3	of	3	Attorney Docket Number	337348046US	

PAULUS, W, "Supplements to Clinical Neurophysiology," Transcranial	
Magnetic Stimulation and Transcranial Direct Current Stimulation	
(Supplements to Clinical Neurophysiology; Vol 56), pp 249-254, 2003	
Elsevier Science, B.V	
KILGARD, Michael et al., "Cortical Map Reorganization Enabled by Nucleus	
Basalis Activity," Science, Vol. 279 pp 1714-1717 (March 13, 1998)	
LAZAR, M. et al., "White Matter Tractography Using Diffusion Tensor	
Deflection," Human Brain Mapping, 18:306-321, (2003)	
STRENS, Lucy et al., "The ipsilateral Human Motor Cortex Can Functionally	
Compensate for Acute Contralateral Motor Cortex Dysfunction," Current	
Biology, Vol. 13, pp 1201-1205 (July 15, 2003)	
DI LAZZARO, V. et al., "Theta-burst repetitive transcranial magnetic	
stimulation suppressess specific excitatory circuits in the human motor	
cortex," Physiology in Press; published online on April 21, 2005 as	
10.1113/jphysio.2005.087288	
TSUBOKAWA, T., "Chronic Motor Cortex Stimulation in Patients with	
Thalamic Pain," J. Neurosurg 78:393-401, (March 1993)	
TUCH, D. et al., "Conductivity Tensor Mapping of the Human Brain Using	
Diffusion Tensor MRI," Neurobiology, Vol. 98 No. 20, pp. 11697-11701	
(September 25, 2001)	
BEHRENS, T. et al., "Non-invasive mapping of connections between human	
thalamus and cortex using diffusion imaging," Nature Neuroscience, Vol. 6	
No. 7, pp. 750-757 (July 2003)	<u></u>

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner Date	
Signature Considered	

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.